

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

“All Cases”

MDL No.: 2804

Case No.: 17-md-2804

Judge Dan Aaron Polster

**DECLARATION OF ASHLEY HARDESTY ODELL IN SUPPORT OF KROGER’S
OBJECTION TO SPECIAL MASTER COHEN’S DISCOVERY RULING NO. 14, PART
32 REGARDING KROGER’S PRIVILEGE CLAIMS**

I, Ashley Hardesty Odell hereby declare under oath and subject to the penalties of perjury the following:

1. I am a Partner in the law firm of Bowles Rice LLP which represents the Kroger Defendants in this matter. I submit this Declaration in support of Kroger's Objection to Special Master Cohen's Discovery Ruling No. 14, Part 32 Regarding Kroger's Privilege Claims.

2. Attached as Exhibit A is a 10-K for The Kroger Co., dated March 28, 2023.

3. Attached as Exhibit B is a Reuters news article entitled "DEA suspends Cardinal Health license in Florida," dated February 3, 2012.

4. Attached as Exhibit C is a Cardinal Health press release entitled "Cardinal Health Inc. Seeks Restraining Order to Avoid Disruption in Controlled Medicine Shipments from Florida," dated February 3, 2012.

5. Attached as Exhibit D is a DEA press release entitled "DEA Serves A Suspension Order on Walgreens Distribution In Jupiter, Florida," dated September 14, 2012.

6. Attached as Exhibit E is the "About" section for Larry P. Cote.

7. Attached as Exhibit F is a letter from Gary Glotz to Frances Tucker with the subject "Suspicious Order Monitoring (SOM) Assessment Project," dated December 11, 2012 with bates range Kroger-MDL00062168 to Kroger-MDL00062170.

8. Attached as Exhibit G is a Customer Services Agreement between BuzzeoPDMA LLC and The Kroger Co., dated January 24, 2013 with bates range KrogerSmithNMAG00002666 to KrogerSmithNMAG00002675.

9. Attached as Exhibit H is a letter from Ashley Hardesty Odell to Special Master Cohen regarding Agenda Item 334, dated September 30, 2022.

10. Attached as Exhibit I is an Order in the *State of New Mexico, ex rel. Balderas v. Purdue Pharma L.P.*, dated August 15, 2022.

11. Attached as Exhibit J is a letter from Anthony Irpino to Special Master Cohen regarding PEC's Reply ISO Motion Challenging Kroger's Privilege Claims, dated April 18, 2023.

12. Attached as Exhibit K is a slip sheet for KRO-PRIV-116 designated as "Document Withheld for Privilege," which is an e-mail chain transmitting the March 12, 2013 Q&B Report, with the top e-mail dated March 15, 2013, and separately submitted for in camera review.

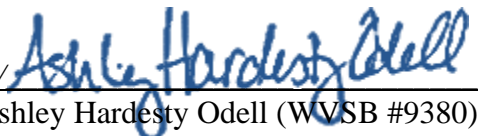
13. Attached as Exhibit L is a slip sheet for KRO-PRIV-117 designated as "Document Withheld for Privilege," which is a report from BuzzeoPDMA to Quarles & Brady, LLP, dated March 12, 2013, and separately submitted for in camera review.

14. Attached as Exhibit M is a slip sheet for KRO-PRIV-118 designated as "Document Withheld for Privilege," which is an e-mail chain transmitting the March 25, 2013 Q&B Report, with the top e-mail dated March 25, 2013, and separately submitted for in camera review.

15. Attached as Exhibit N is a slip sheet for KRO-PRIV-119 designated as "Document Withheld for Privilege," which is a report from BuzzeoPDMA to Quarles & Brady, LLP, dated March 25, 2013, and separately submitted for in camera review.

16. Attached as Exhibit O is a slip sheet for KRO-PRIV-167 designated as "Document Withheld for Privilege," which is an e-mail from Frances Tucker to Mark Woolf regarding Suspicious Order Monitoring Request, dated February 28, 2013, and separately submitted for in camera review.

Executed on May 10, 2023


/s/ Ashley Hardesty Odell
Ashley Hardesty Odell (WVSB #9380)